

REMARKS

Claims 1-5 are allowed. Claims 6-11 stand rejected under 35 U.S.C. 102(b) or 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 3,222,181 to Hoelle *et al.* (Hoelle).

Claim 6 has been amended to recite the pH of the non-polar solvent-washed extract of hop solids as being neutral or acidic. This amendment has a basis at page 12, lines 5-10. The neutral pH is advantageous in that it does not upset the pH of the wort (page 12, lines 5-8), and the acidic pH is advantageous in that it discourages microbial growth (page 12, lines 8-10).

Turning now to Hoelle, there is described a process for the water extraction of hop residue. At page 6, lines 38-42 of Hoelle, it is stated that the “water used for the extraction is regulated to be in the alkaline range, and preferably so as to have a pH within the range of 8 to 9”. It does not appear that Hoelle ever teaches or suggests lowering the pH of the water extract to the neutral or acidic range as recited in amended claim 6.

Therefore, Hoelle does not teach or suggest all of the limitations of amended claim 6. Furthermore, the features added to amended claim 6 provide the above-noted advantages over Hoelle. Thus, amended independent claim 6 (and claims 7-11 that depend thereon) are believed to be patentable over Hoelle.

Conclusion

Claims 1-5 are already allowed. It is also believed that amended independent claim 6 (and claims 7-11 that depend thereon) are patentable over the prior art of

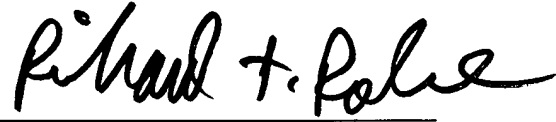
record. It is respectfully submitted that the entire application has been placed in condition for allowance. Favorable reconsideration is respectfully requested.

No other fees are believed to be needed for this amendment. However, if additional fees are needed, please charge them to Deposit Account No. 17-0055.

Respectfully submitted,

Dated: February 24, 2004

By: _____

A handwritten signature in black ink, appearing to read "Richard T. Roche", written over a horizontal line.

Richard T. Roche
Registration No. 38,599
Quarles and Brady LLP
411 East Wisconsin Ave.
Milwaukee, WI 53202
(414) 277-5805

5540625